

Serial No. 09/409,524
Attorney Docket No. 113708.122

REMARKS

Claims 1 and 5 – 60 are pending. Reconsideration is respectfully requested in view of the remarks provided herein.

Counsel for applicant wishes to thank the examiner and his SPE, John Walsh, for the courtesy of the telephone interview of June 23 and June 24, 2005. The examiner and the SPE indicated the allowability of the independent claims as amended over the references of record.

The office action rejects claims 58 – 60 under 35 USC 112, first paragraph, on the basis that they contain subject matter not present in the specification. Support for claim 58 is located in the specification, for example, page 7 lines 12 – 14 and 25 – 29, and page 10, line 32 – page 11, line 1. Support for claim 59 is located in the specification, for example, page 10, lines 15 – 21, and page 11 lines 5 – 20 and 27 – 37. Support for claim 60 is located in the specification, for example, page 12 lines 3 – 15. Reconsideration and withdrawal of the rejection is respectfully requested. It is noted that the office action failed to address the merits of claims 58 – 60.

Claims 1, 5-8, 10-12, 14-16, 20-22, 24-34, 37-38, 40-48, 51-54 and 56-57 stand rejected under 35 U.S.C. 103(a) as being unpatentable over www.inventnet.com (www.inventnet.com, retrieved from Internet Archive WayBack Machine www.archive.org, date range: 12/3/1998-2/9/1999) ("Inventnet"), in view of Legalstar.com (www.legalstar.com, retrieved from Internet Archive WayBack Machine www.archive.org, date range 12/2/1998 – 12/7/1998 ("Legalstar"), further in view of U.S. Patent No. 5,175,681, Iwai et al. ("Iwai"). Claims 54 and 55 stand rejected under 35 UC 103(a) as being unpatentable over Legalstar in view of Inventnet, further in view of Iwai.

Dependent claims 9, 17, 18, and 23 stand rejected under 35 USC 103(a) as being unpatentable over Inventnet in view of Iwai, further in view of Brown, Pinnisi & Michaels, PC (www.lightlink.com/bbm, retrieved from Internet Archive Wayback Machine www.archive.org, date range 2/24/1998-2/18/1999) ("BPM"). Dependent claims 13, 35, 36, 39 and 49 stand rejected under 35 USC 103(a) as being unpatentable over Inventnet in view of Iwai. Dependent claim 19 stands rejected under 35 USC 103(a) as being unpatentable over Inventnet in view of Iwai, further in view of BPM. (It appears that the office action should also include Legalstar as a reference in each of these rejections, when considering the references used to reject the independent claims.)

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For the reasons including those discussed at the interview, each of independent claims 1, 5, 15, 22, 25, 33, 41, 44, 52, 54 and 56 is patentable over the applied references. Claims dependent therefrom are similarly patentable. The Examiner is respectfully requested to reconsider and withdraw the rejections for the reasons given below and given during the telephone interview. The following also constitutes the interview summary.

The independent claims are all rejected under 35 USC 103(a) over Inventnet in view of Legalstar, further in view of Iwai. Also, independent claim 54 has a second basis for rejection under 35 USC 103(a) over Legalstar in view of Inventnet, further in view of Iwai.

At the interview, the following references were discussed: Inventnet, Legalstar, and Iwai. Also, each of the independent claims 1, 5, 15, 22, 25, 33, 41, 44, 52, 54 and 56 was discussed at the interview. It was agreed that each of the independent claims as amended is sufficiently distinguishable over the combination of references, so that the independent claims are patentable.

For at least these reasons, the combination of features recited in independent claims 1, 5, 15, 22, 25, 33, 41, 44, 52, 54 and 56 when interpreted as a whole, is submitted to patentably distinguish over the prior art.

With respect to the rejected dependent claims, Applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claims 1, 5, 15, 22, 25, 33, 41, 44, 52, 54 or 56, but also because of additional features they recite. Examples of some of these features were discussed previously.

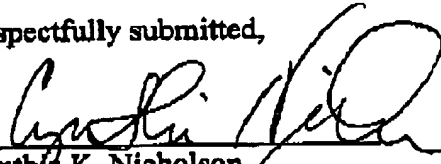
For all the reasons advanced above, Applicant respectfully requests that the rejection of claims 1 and 5 – 60 be reconsidered and withdrawn.

In view of the foregoing, the applicant respectfully submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

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Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,


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